

FIRST REGULAR SESSION

# HOUSE BILL NO. 636

## 91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOSMER.

Read 1<sup>st</sup> time February 5, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0255L.011

### AN ACT

To repeal section 173.239, RSMo 2000, relating to the national guard scholarship, and to enact in lieu thereof one new section relating to military scholarships.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 173.239, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 173.239, to read as follows:

173.239. 1. Any **nonofficer enlisted** member of the Missouri national guard, **United States Army Reserve, United States Air Force Reserve, United States Navy Reserve, United States Marine Reserve, United States Coast Guard Reserve or United States Public Health Service Reserve**, who possesses the qualifications set forth in this section may be awarded an educational assistance grant to an approved public institution or an approved private institution, as those terms are defined in either section 173.205 or section 173.778, of his or her choice while he or she is a member of the Missouri national guard, **United States Army Reserve, United States Air Force Reserve, United States Navy Reserve, United States Marine Reserve, United States Coast Guard Reserve or United States Public Health Service Reserve**; **provided that such member has used all federal grant moneys available for such purpose.** Funding for educational assistance pursuant to this section may be requested annually in the budget of the Missouri national guard. Educational assistance provided pursuant to this section shall not exceed funds appropriated for that purpose.

2. Educational assistance provided [under] **pursuant to** this section shall not exceed the least of the following:

(1) The actual tuition, as defined in section 173.260, charged at an approved institution

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 where the individual is enrolled or accepted for enrollment; or

18 (2) The amount of tuition charged a Missouri resident at the University of Missouri for  
19 attendance;

20 (3) The grants provided [under] **pursuant to** this section may be prorated subject to  
21 appropriations in an amount no less than fifty percent of the limits set forth in this section.

22 3. A **nonofficer enlisted** member of the Missouri national guard, **United States Army**  
23 **Reserve, United States Air Force Reserve, United States Navy Reserve, United States**  
24 **Marine Reserve, United States Coast Guard Reserve or United States Public Health Service**  
25 **Reserve**, seeking educational assistance pursuant to this section shall provide a certificate of  
26 satisfactory service of his or her Missouri national guard, **United States Army Reserve, United**  
27 **States Air Force Reserve, United States Navy Reserve, United States Marine Reserve,**  
28 **United States Coast Guard Reserve or United States Public Health Service Reserve** duties  
29 from his or her commanding officer and shall possess all other necessary entrance requirements  
30 of the school of his or her choice and shall maintain a cumulative grade point average (GPA) of  
31 at least [two point five] **2.5** on a [four point] **4.0** scale, or the equivalent on another scale  
32 approved by the program administrator, while attending the approved public or private  
33 institution. **The member shall also be a citizen of this state while seeking or receiving**  
34 **educational assistance pursuant to this section.**

35 4. If the grade point average of a member who is receiving educational assistance  
36 pursuant to this section falls below [two point five] **2.5** on a [four point] **4.0** scale, or the  
37 equivalent on another scale, such member shall retain the educational assistance and shall be  
38 placed on probation under the educational assistance program. Failure to achieve a current grade  
39 point average of at least [two point five] **2.5** on a [four point] **4.0** scale, or the equivalent on  
40 another scale for future semesters or equivalent academic terms shall result in termination of the  
41 scholarship effective as of the next academic term. The member shall be removed from  
42 probation status upon achieving a cumulative grade point average of [two point five] **2.5** on a  
43 [four point] **4.0** scale or the equivalent on another scale.

44 5. If a recipient of educational assistance pursuant to this section ceases to be a member  
45 of the Missouri national guard, **United States Army Reserve, United States Air Force**  
46 **Reserve, United States Navy Reserve, United States Marine Reserve, United States Coast**  
47 **Guard Reserve or United States Public Health Service Reserve**, while enrolled in a course  
48 of study or within three years after the completion of a course of study for any reason except  
49 death or disability, the educational assistance shall be terminated and the recipient shall repay  
50 any amounts awarded pursuant to this section.

51 6. State educational assistance on behalf of Missouri national guard members pursuant  
52 to this section shall be used only after all available federal Department of Defense educational

53 assistance funds have been expended.

54         7. Applicants for educational assistance pursuant to this section shall meet the  
55 qualifications established by section 173.215, except the provisions of subdivisions (2) and (4)  
56 of subsection 1 of section 173.215, and shall be qualified, full-time or part-time students.

57         8. The educational assistance program established pursuant to this section shall be  
58 administered by the office of the adjutant general of the Missouri national guard. The Missouri  
59 national guard shall establish guidelines for equitable distribution of educational assistance.